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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
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11 Plaintiff,
12 v.
13 SON PHAM,
14 Defendant.

Case No. 2:13-CR-123-RSL

ORDER DENYING MOTION
FOR EARLY
TERMINATION OF
SUPERVISED RELEASE

15 This matter comes before the Court on petitioner Son Pham's motion for early
16 termination of supervised release, pursuant to 18 U.S.C. § 3583(e)(1). Dkt. #212.

17 On April 18, 2013, Mr. Pham was indicted on two counts of Attempted Collection of
18 Extensions of Credit by Extortionate Means (Counts 1 and 3), one count of Carrying a Firearm
19 During and In Relation to a Crime of Violence (Count 2), and one count of Bank Fraud (Count
20 4). Dkt. #31; see 18 U.S.C. §§ 894, 924, 1344. He pleaded guilty to the four offenses on
21 November 7, 2013, see Dkt. #109, and was sentenced on March 28, 2014 to 12 months on each
22 of Counts 1, 3 and 4 to run concurrently and 60 months on Count 2 to run consecutively. Dkt.
23 #143. On June 23, 2016, Mr. Pham filed a motion under 28 U.S.C. § 2255 to vacate his sentence
24 with respect to Count 2. Dkt. #165. This was granted, and on November 16, 2016, he was
25 resentenced to 51 months followed by 60 months of supervised release. Dkt. #201. His
26 supervision is set to expire on December 20, 2021. Dkt. #210.
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1 A court “may, after considering the factors set forth in [18 U.S.C. § 3553(a)] ... terminate
2 a term of supervised release and discharge the defendant released at any time after the expiration
3 of one year of supervised release... if it is satisfied that such action is warranted by the conduct
4 of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e). The Court enjoys
5 “discretion to consider a wide range of circumstances when determining whether to grant early
6 termination.” United States v. Emmett, 749 F.3d 817, 819 (9th Cir. 2014) (citing United States
7 v. Pregent, 190 F.3d 279, 283 (4th Cir. 1999)).

8 The Court is pleased to learn that Mr. Pham is doing well under supervised release. It
9 appreciates his compliance with the terms of his supervision and his maintenance of a stable
10 living situation and support system. Dkt. #221 at 2; Dkt. #212 at 2. The Court also recognizes
11 that his inability to secure employment is in part due to factors outside of his control. Id. at 2.
12 However, Mr. Pham’s motion is premature. The Court encourages him to continue his excellent
13 behavior, and to re-apply for an early termination any time after November 30, 2019.

14 For the foregoing reasons, Mr. Pham’s motion is DENIED.

15 DATED this 23rd day of May, 2019.

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19 Robert S. Lasnik
20 United States District Judge
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